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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION  
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12 RALINK TECHNOLOGY  
13 CORPORATION,

14 Plaintiff,

15 v.

16 LANTIQ DEUTSCHLAND GMBH,

17 Defendant.

Case No.: C 11-01549 EJD (PSG)

**ORDER DENYING MOTION TO  
SHORTEN TIME FOR THE COURT  
TO HEAR RALINK'S MOTION TO  
COMPEL DISCOVERY AND  
ENFORCE SUBPOENA TO SANJAY  
KASTURIA**

(Re: Docket No. 73)

18 On June 21, 2011, Plaintiff Ralink Technology Corporation ("Ralink") filed an amended  
19 motion to compel (1) Defendant Lantiq Deutschland GmbH ("Lantiq") to respond to Ralink's  
20 First Set of Interrogatories and First Set of Requests for Production and (2) third party Sanjay  
21 Kasturia ("Kasturia") to comply with Ralink's subpoena for deposition testimony and document  
22 production. Ralink noticed this motion for hearing on July 26, 2011. On June 24, 2011, Ralink  
23 filed a motion to shorten time for hearing the motion to compel, requesting the motion to compel  
24 be heard on July 12, 2011. On June 27, 2011, Lantiq filed its opposition to Ralink's motion to  
25 shorten time.

26 An order shortening time on a motion necessarily delays resolution of other matters  
27 pending before the court. Because a motion for such an order is effectively a request to jump the  
28


1 line, good cause is required.<sup>1</sup> Any party seeking to show that such an order is warranted must  
2 identify “the substantial harm or prejudice that would occur if the Court did not change the  
3 time.”<sup>2</sup>

4 Here, Ralink argues that its motion should be heard at the same time as Kasturia’s motion  
5 to quash the subpoena, which was filed in Case No. 5:11-mc-80109-LHK (PSG) and is noticed for  
6 hearing on July 12, 2011. Ralink argues that Kasturia’s motion to quash and Ralink’s motion to  
7 compel are virtually identical and, thus, hearing the motions together would be efficient.

8 Ralink’s own inaction, however, created the problem it now asks the court to remedy.  
9 Kasturia filed his amended motion to quash on May 19, 2011 and scheduled a hearing on that  
10 motion to take place 54 days later on July 12, 2011. A party need notice a motion only 35 days  
11 after service of the motion. Thus, anytime before June 8, 2011 Ralink could have filed its motion  
12 to compel and scheduled a hearing on the same day as Kasturia’s motion without any special  
13 accommodation from the court. Instead, Ralink waited to file its motion to compel for  
14 approximately a month after Kasturia filed his motion and now argues that the court should hear  
15 its motion two weeks ahead of schedule. Ralink has failed to show good cause to shorten time to  
16 hear its motion to compel. Accordingly,

17 IT IS HEREBY ORDERED that Ralink’s motion to shorten time is DENIED.

18  
19 Dated: June 29, 2011

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21 PAUL S. GREWAL  
22 United States Magistrate Judge  
23  
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27 <sup>1</sup> See Fed. R. Civ. P. 6(c)(1)(C).

28 <sup>2</sup> Civ. L.R. 6-3(a)(3) (requiring a declaration in support of a motion to shorten time identify  
“the substantial harm or prejudice that would occur if the Court did not change the time.”).